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Barney S. Heath  
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## MEMORANDUM

**Date:** November 5, 2021  
**From:** Barney Heath, Director, Planning and Development Department  
Amanda Berman, Director of Housing and Community Development  
Lara Kritzer, Community Preservation Program Manager  
**To:** Zoning and Planning Committee  
**RE:** Draft Municipal Affordable Housing Trust Ordinance

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The proposed draft Municipal Affordable Housing Trust (MAHT) Ordinance was initially reviewed by the Zoning and Planning Committee at their July 26 meeting with the discussion continued at the Committee's meeting on September 27. This issue has been under discussion since November 2, 2020, when 17 City Councilor's docketed an item for the City Council to consider the creation of a MAHT in Newton.

In the year since this topic was raised, the City Council, staff, and committees have worked to better understand the process and possibilities which a Housing Trust could provide to Newton. City officials and staff have taken part in three state-wide webinars from the Massachusetts Housing Partnership on MAHTs and received two Newton specific presentations from the MHP's Housing Trust expert Shelly Goehring that included members of the City Council, Newton Housing Partnership and Community Preservation Committee. From January through July of this year, the Planning and Development Department's staff researched the pros and cons of MAHTs. Staff discussed the details of Trusts and CPA funding with Stuart Saginor of the Community Preservation Coalition and Shelly Goering, and also met with staff of existing housing trusts in Amherst, Beverly, Brookline, Brewster, Cambridge, Salem, and Somerville. These discussions provided insight into how Trusts worked in real time as well as the different ways that they have been implemented and used to develop affordable housing projects in each community. Building on the information gained through these discussions, Planning staff drafted the proposed MAHT ordinance which was submitted to ZAP for review at their July 26 meeting.

ZAP members initially postponed their discussion in July to gather additional information and input from the Community Preservation Committee (CPC) and Newton Housing Partnership, both of which have now responded in writing expressing their support for adoption of an MAHT ordinance. The CPC has also taken the step of committing to recommending that the annual Community Housing target for the CPA program be transferred to the Trust for distribution once it is established.

At the last MAHT discussion on September 27, the ZAP memo included the following attachments to address previous questions raised on the proposed ordinance:

- 1) Answers to Questions raised during the July 26 meeting (Page 1)
- 2) Draft Municipal Affordable Housing Ordinance (Page 5)
- 3) Memo from the Community Preservation Committee (Page 10)
- 4) Memo from the Partnership (Page 11)
- 5) July 23, 2021 Planning Department Memo for the July 26 ZAP meeting (Page 14)
- 6) State enabling legislation (Chapter 44, Section 55C) (Page 16)

If the Committee agrees to send its recommendation to the full City Council for a vote, then the City Council will be asked a vote to both accept the state enabling statute and adopt the draft ordinance. Assuming that this vote passes City Council, it is presumed that the process of establishing the new Trust would begin in January after the opening of the new City Council. Staff would next work with the Mayor's office to find highly qualified citizens with strong affordable housing backgrounds to nominate to the Trust, with the City Council and Community Preservation Committee on their appointed representative, and with the Comptroller to establish the MAHT account. It is anticipated that the Trustee appointment process would take 3-4 months to complete, after which the new Trustees could begin to meet and establish their review and funding allocation process. The development of these new processes would also include the submittal of a CPA funding proposal for the program's initial funding. The process of developing a clear and organized process and receiving program funding is estimated to take an additional 4-6 months, after which the Trust could begin to accept requests for project funding. In all, it is anticipated that it will take approximately a year to take this program from ordinance acceptance to a fully operating Trust, with Fall 2022 as a potential target for accepting new funding applications.

Municipal Affordable Housing Trust Review Timeline

November 2, 2020 – Seventeen City Council members docketed an item for the City Council to consider the creation of a Municipal Affordable Housing Trust(MAHT) in Newton.

December 9, 2021 – Massachusetts Housing Partnership (MHP) holds a webinar on MAHT and CPA funding programs attended by City Councilors, staff, and committee members.

January 19, 2021 – MHP’s Shelly Goehring presents MAHP Overview at Newton Housing Partnership meeting

January - February 2021 – Staff conducts research and informational interviews with Community Preservation Coalition Stuart Saginor and staff for the housing trusts in Salem, Somerville, Beverley, Brewster, Amherst, Brookline, and Cambridge

March 22, 2021 – MHP’s Shelly Goehring gives MAHP presentation to ZAP and CPC members

May 27, 2021 – Newton Housing Partnership issues letter in support of creation of MAHT

July 16, 2021 – Planning and Development Department prepares a draft MAHT ordinance for committee and Council review

June 23 and June 30 2021 – MHP holds two part MAHT training attended by Planning Department staff

July 26, 2021 – First meeting with ZAP to review draft MAHT ordinance and potential program

August 10, 2021 – Community Preservation Committee unanimously votes to support the creation of a MAHT in Newton and commits to recommending that its target allocation for Community Housing (currently 35%) be given to the Trust in the future.

September 27, 2021 – Second ZAP review of draft MAHT ordinance and potential program